

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

QUEEN'S UNIVERSITY AT KINGSTON and  
PARTEQ INNOVATIONS,

*Plaintiffs,*

v.

SAMSUNG ELECTRONICS CO., LTD., and  
SAMSUNG TELECOMMUNICATIONS AMERICA,  
LLC,

*Defendants.*

Civil Action No. 2:14-cv-00053-JRG-RSP

**FIFTH AMENDED DOCKET CONTROL ORDER**

The parties' Joint Motion to Amend the Docket Control Order to extend the deadline to serve disclosures for expert witnesses by the party with the burden of proof and to serve disclosures for rebuttal expert witnesses by seven (7) days is hereby GRANTED as follows.

| <b>Rt gxlqwu Dates</b> | <b>Ewt t gpv Dates</b> | <b>Event</b>   |
|------------------------|------------------------|--|
| November 9, 2015       |                        | <b>*Jury Selection – 9:00 a.m. in Marshall, Texas</b>  |
| September 28, 2015     |                        | <b>*Pretrial Conference – 9:00 a.m. in Marshall, Texas before Judge Roy Payne</b>  |
| September 23, 2015     |                        | *Notify Court of Agreements Reached During Meet and Confer.<br><br>The parties are ordered to meet and confer on any outstanding objections or motions <i>in limine</i> . The parties shall advise the Court of any agreements reached no later than 1:00 p.m. three (3) business days before the pretrial conference. |
| September 21, 2015     |                        | *File Joint Pretrial Order, Joint Proposed Jury Instructions, Joint Proposed Verdict Form, and Responses to Motions in Limine  |
| September 21, 2015     |                        | Serve Objections to Rebuttal Pretrial Disclosures  |

| <b>Rt gxlqwu Dates</b> | <b>Ewt t gpv Dates</b> | <b>Event</b>  |
|------------------------|------------------------|---|
| September 14, 2015     |                        | *File Notice of Request for Daily Transcript or Real Time Reporting.<br><br>If a daily transcript or real time reporting of court proceedings is requested for trial, the party or parties making said request shall file a notice with the Court and e-mail the Court Reporter, Shelly Holmes, at shelly_holmes@txed.uscourts.gov. |
| September 7, 2015      |                        | File Motions in Limine.<br><br>The parties shall limit their motions in limine to issues that if improperly introduced at trial would be so prejudicial that the Court could not alleviate the prejudice by giving appropriate instructions to the jury.  |
| August 31, 2015        |                        | Serve Objections to Pretrial Disclosures; and Serve Rebuttal Pretrial Disclosures   |
| August 17, 2015        |                        | Serve Pretrial Disclosures (Witness List, Deposition Designations, and Exhibit List) by the Party with the Burden of Proof  |
| July 20, 2015          |                        | *File Dispositive Motions or Motions to Strike Expert Testimony (including Daubert Motions)<br><br>No dispositive motion or motion to strike expert testimony (including a Daubert motion) may be filed after this date without leave of the Court.   |
| July 20, 2015          |                        | Deadline to Complete Expert Discovery   |
| June 29, 2015          | July 6, 2015           | Serve Disclosures for Rebuttal Expert Witnesses   |
| June 8, 2015           | June 15, 2015          | Serve Disclosures for Expert Witnesses by the Party with the Burden of Proof  |
| June 8, 2015           |                        | **Deadline to Complete Fact Discovery and File Motions to Compel Discovery  |
| May 25, 2015           |                        | *Deadline to File Letter Briefs Regarding Dispositive Motions   |

(\*) indicates a deadline that cannot be changed without showing good cause. Good cause is not shown merely by indicating that the parties agree that the deadline should be changed.

\*\* Defendants shall take the deposition of Mr. Banting on June 10, 2015 and of Mr. Vertegaal on June 11-12, 2015, in their personal capacity as well as 30(b)(6) designees. The Parties shall work in good faith to promptly resolve any discovery disputes arising out of the depositions of Messers. Banting and Vertegaal and, if necessary, the Defendants may file any associated motions to compel by June 17, 2015.

**Signed this date.**

**May 18, 2015**

  
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ROY S. PAYNE  
UNITED STATES MAGISTRATE JUDGE